

ORDINANCE NO. 3826

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED, “AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND PROVIDING THAT NO LEVY OF A SPECIAL AD VALOREM TAX IN THE SHADES LANE DEVELOPMENT DISTRICT BE IMPOSED FOR FISCAL YEAR 2018 AND RELATED MATTERS.”

**Whereas**, the Mayor and City Council, pursuant to a Resolution adopted on September 21, 2004 (the “Resolution”) and the authority of Sections 14-201 through 14-214, inclusive, of Article 41 of the Annotated Code of Maryland (the “TIF Act”) and Section 44A of Article 23A of the Annotated Code of Maryland (the “STD Act” and, together with the TIF Act, the “Acts”) established a contiguous area located within the City as both a “development district” (as defined in the TIF Act) and a “special taxing district” (as defined in the STD Act), and designated such area as the “Shades Lane Development District” (the “District”); and

**Whereas**, pursuant to Ordinance No. 3507, approved by the Mayor and City Council on October 5, 2004 (the “Ordinance”), the City authorized the issuance of special obligation bonds in an amount not to exceed \$750,000 pursuant to the authority of the Acts in order to finance certain infrastructure improvements within or related to the District; and

**Whereas**, pursuant to the Ordinance and an Executive Order of the Mayor executed and delivered on April 21, 2005 pursuant to the authority of the Acts and the Ordinance, the City issued and delivered its Mayor and City Council of Cumberland Special Obligation Bond (Shades Lane Project), Series 2005 on April 22, 2005 in the original principal amount of \$480,000 (the “Bond”); and

**Whereas**, the Ordinance provides that debt service on the Bond will be payable in the

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first instance from property taxes on real property located within the District representing the levy by the City and County Commissioners of Allegany County (the “County”) on the Tax Increment (as defined in the Resolution), and to the extent such incremental tax revenues prove insufficient, in the second instance from a special ad valorem tax or taxes levied upon property within the District; and

**Whereas,** it has been determined by City staff and that it will be unnecessary to levy a special ad valorem tax on either real property or personal property located within the District for the fiscal year beginning July 1, 2017 and ending June 30, 2018 because revenues from taxes levied by the City and the County are and will be sufficient to cover debt service on the Bond.

**Now, Therefore**


**Section 1:** BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CUMBERLAND, that in accordance with and pursuant to the authority of the STD Act and the Ordinance, for the fiscal year beginning July 1, 2017 and ending June 30, 2018, there is hereby levied a special ad valorem tax, at the rate of Zero Dollars and Zero Cents (\$0.0000) per One Hundred Dollars (\$100.00) of assessable base, on real property located within the District.

**Section 2:** AND BE IT FURTHER ORDAINED that in accordance with and pursuant to the authority of the STD Act and the Ordinance, for the fiscal year beginning July 1, 2017 and ending June 30, 2018, there is hereby levied a special ad valorem tax, at the rate of Zero Dollars and Zero Cents (\$0.00) per One Hundred Dollars (\$100.00) of assessable base, on personal property located within the District.

**Section 3:** AND BE IT FURTHER ORDAINED, that the appropriate officials of the City are hereby authorized and directed to take all action necessary to provide for the billing, collection and application of the special ad valorem tax relating to the District provided for in this Ordinance.

**Section 4:** AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

Passed this 20 day of June, 2017.

  
MAYOR

ATTEST:

  
CITY CLERK

1st reading: June 6, 2017  
2nd reading: June 20, 2017  
3rd reading: June 20, 2017  
Passed : 5-0